



May 25, 2006

TO: Transportation Authority of Marin Commissioners

FROM: Dianne Steinhauser, Executive Director

RE: First Addendum to Agreement with the County of Marin for the Cal Park Tunnel Multi-Use Pathway, Agenda Item 7C

Dear Commissioners:

Executive Summary

TAM has requested the MTC authorize a RM-2 allocation in the amount of \$1,000,000 to augment other contributing funding sources to complete the final design efforts for the Cal Park Hill Multi-Use Pathway. The MTC is scheduled to approve this allocation during their regularly scheduled meeting on May 24th. This will be the second RM-2 allocation related to the design of the Cal Park Project for a total amount of \$1,200,000.

As the sponsoring agency, TAM has previously entered into an Agreement with the County of Marin, who is acting as the implementing agency. An amendment to this funding Agreement is attached for consideration and approval by TAM and subsequently the County.

Recommendation: Approve the first amendment to Agreement No. A-FY05/06-008 (FA) between TAM and the County of Marin

Over the past few months the County, the City of San Rafael, the City of Larkspur and SMART have been cooperatively working together to advance this project to its current development stage which is estimated to be at 60%. The County is prepared to proceed with the final design consisting of the preparation of construction documents. Final design is scheduled to be complete at the end of this calendar year.

RM-2 funding for this phase of the project has previously been programmed and no adjustment to other RM-2 funded projects has been made.

Upon approval by both parties, the County will amend its Contract with the project design consultant, Earth Tech Inc., to complete the final design.

Attachment: First Amendment to Agreement No. A-FY05/06-008 (FA)

**FIRST AMENDMENT TO THE AGREEMENT BY AND BETWEEN THE
TRANSPORATION AUTHORITY OF MARIN AND THE COUNTY OF MARIN**

COOPERATIVE FUNDING AGREEMENT NO. A-FY05/06-008 (FA)

This First Addendum is made and entered into as of this day _____,
by and between the **COUNTY OF MARIN** hereinafter referred to as "**COUNTY**" and the
TRANSPORTATION AUTHORITY OF MARIN herein referred to as "**TAM.**"

RECITALS

- 1) **TAM** and **COUNTY** entered into a Funding Agreement on September 27, 2005 related to the Regional Measure 2 funded project, "Cal Park Tunnel Rehabilitation and Pathway Improvement".
- 2) Both parties desire to amend the Agreement to fund the continuing costs of design.
- 3) The parties agree to modify the following:

NOW, therefore, as a valuable consideration the parties hereto agree as follows:

- 1) On Page 2, Paragraph 2 (a), "**TAM** Agrees:", shall be amended to read as follows:
To request RM2 funds in an amount of \$1,200,000 as set forth in Exhibit 1, providing for up to \$1,050,000 reimbursement to the **COUNTY** in accordance with the provisions of RM2 Regional Traffic Relief Policy and Procedures. TAM will submit a request for reimbursement to the MTC within ten (10) working days upon receipt from the **COUNTY**.
- 2) Amend Attachments as follows:
 - a. Attachment A-3 is amended to read as set forth on Exhibit 1 attached hereto.
 - b. Attachment C-3 is amended to read as set forth on Exhibit 2 attached hereto.
 - c. Attachment D-3 is amended to read as set forth on Exhibit 3 attached hereto.
- 3) Except as otherwise provided herein all the terms and conditions of this agreement shall remain in full force and effect.

COUNTY OF MARIN

TRANSPORTATION AUTHORITY OF MARIN

By _____
President,
Board of Supervisors
Approved as to legal form and content:

By _____
Chair,
Transportation Authority of Marin

By _____
Legal Counsel

By _____
Legal Counsel

DRAFT

July 27, 2005
Attachment A-3
MTC Resolution No. 3649
Org Key #840-8811-03
Page 1 of 1
Revised: 05/24/06-DA

**REGIONAL MEASURE 2 PROGRAM
Allocation of Funds**

Project Title: Cal Park Hill Tunnel Rehabilitation and Bikeway
Sponsor: Transportation Authority of Marin
Project Number: 11.3

**REGIONAL MEASURE 2
Deliverable/Useable Segment
Allocation of Regional Measure 2 Funds**

Allocation No. 11.3-1					
Activities to be funded with Allocation #1:					
Allocation will fund design work for the rehabilitation of the Cal Park Hill Tunnel and construction of a pathway within the railroad right-of-way to provide bicycle/pedestrian improvements to connect the San Rafael Transit Center in downtown San Rafael and the Larkspur Ferry Terminal in Larkspur. The project includes the rehabilitation of the existing and partially collapsed 1,100 foot long Cal Park Tunnel for the dual use of future rail and a pedestrian pathway, and the use of the existing 72 foot long Auburn Street timber railroad trestle or a new pathway structure adjacent to it.					
Funding Information for Allocation #1:					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
06364904	27-Jul-05	\$ 200,000	PSE	FY 2005-06	\$ 200,000

Allocation No. 11.3-2					
Activities to be funded with Allocation #2:					
Originally, the design phase was to be funded in part through State Transportation Enhancement Activities (TEA) funding. However, due to allocation issues regarding the TEA fund source, TAM is requesting that the RM2 funds be used to complete the design phase (which were originally budgeted for the construction phase). The TEA funds have been rebudgeted to the construction phase and a California Transportation Commission allocation request for the TEA funds is anticipated in December 2006.					
Allocation Instruction No.	Approval Date	Amount	Phase	Reimbursement Year	Cumulative Total To Date
07364907	24-May-06	\$ 1,000,000	PSE	FY 2006-07	\$ 1,000,000

EXHIBIT 1

DRAFT Regional Measure 2 Regional Traffic Relief Plan

RM2 Project Number: 11.3

Cal Park Hill Tunnel Rehabilitation and Bikeway

Lead Sponsor	Other Sponsors(s)	Implementing Agency (if applicable)
Transportation Authority of Marin	N/A	Marin County
Legislated Project Description Greenbrae Interchange/Larkspur Ferry Access Improvements. Provide enhanced regional and local access around the Greenbrae Interchange to reduce traffic congestion and provide multimodal access to the Richmond-San Rafael Bridge and Larkspur Ferry Terminal by constructing a new full service diamond interchange at Wornum Drive south of the Greenbrae Interchange, extending a multiuse pathway from the new interchange at Wornum Drive to East Sir Francis Drake Boulevard and the Cal Park Hill rail right-of-way, adding a new lane to East Sir Francis Drake Boulevard and rehabilitating the Cal Park Hill Rail Tunnel and right-of-way approaches for bicycle and pedestrian access to connect the San Rafael Transit Center with the Larkspur Ferry Terminal. Sixty-five million dollars (\$65,000,000). The project sponsor is Marin County Congestion Management Agency.		
RM2 Legislated Funding (in \$1,000) Total Overall Funding: \$65,000 11.1 U.S. 101 Greenbrae Interchange Improvements (\$48,948) 11.2 Sir Francis Drake Blvd. Widening (\$429) 11.3 Cal Park Hill Tunnel Rehabilitation and Class 1 Bikeway (\$7,092) 11.4 Central Marin Ferry Access Improvement		Total Estimated Project Cost (in \$1,000) \$19,900
Project Purpose and Description This project is to rehabilitate the Cal Park Hill Tunnel and construct a pathway within the railroad right-of-way to provide bicycle/pedestrian improvements to connect the San Rafael Transit Center in downtown San Rafael and the Larkspur Ferry Terminal in Larkspur. A graded bench will be created adjacent to the new pathway to provide a sufficient cross-section to accommodate future rail service operations (this project element will be funded by Sonoma-Marin Area Rail Transit (SMART) using their RM2 allocation).		
Funding Description Committed Funds: RM2 - \$7,092,000; State Bicycle Transportation Account - \$908,000; State Transportation Enhancements - \$3,000,000; MTC Transportation for Livable Communities - \$1,500,000 Uncommitted Funds: Operating Capacity: The project will be maintained by the County of Marin.		

Overall Project Cost and Schedule			
Phase	Scope	Start	End
1	Final Environmental Document (CEQA)	08/2001	08/2001
2	Plans, Specifications and Estimates	05/2004	07/2005
3	Right-of-Way	10/2005	12/2006
4	Construction	05/2007	12/2008
Total:			\$20,300

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April 27, 2005
Attachment C-3
MTC Resolution No. 3649
Revised: 05/24/06-DA

Total Project Funding Plan: Committed and Uncommitted Sources

(Amounts Escalated in Thousands)

Project Title	Project No. 11.3									
Lead Sponsor	Cal Park Tunnel Rehabilitation and Bikeway Transportation Authority of Marin									
Fund Source	Phase	Prior	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	Future	Total
Committed										
BTA	ENV	550	50	45						645
BTA	PSE			263						263
Local	PSE		100	300						400
RM2 (SMART)	PSE			600	400					1,000
RM2	PSE			160	1,040					1,200
RM2	ROW				150					150
State TE	CON					3,000				3,000
RM2	CON					5,742				5,742
RM2 (SMART)	CON					6,400				6,400
TLC	CON					1,500				1,500
Total:		550	150	1,368	1,590	16,642	0	0	0	20,300
Uncommitted										
										0
										0
										0
Total:		0	0	0	0	0	0	0	0	0
Total Project Committed and Uncommitted										
	Prior	550	150	1,368	1,590	16,642	0	0	0	20,300
Total:		550	150	1,368	1,590	16,642	0	0	0	20,300

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REGIONAL MEASURE 2 PROGRAM
Project Cash Flow Plan

July 27, 2005
Attachment D-3
MTC Resolution No. 3649
Page 1 of 1
Revised: 05/24/06-DA

Project Title: Cal Park Tunnel Rehabilitation and Bikeway
Sponsor: Transportation Authority of Marin
RM2 Project Number: 11.3

As Adopted July 27, 2005

RM2 Project #11.3	PRIOR	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	TOTAL
RM2 Funds Total	-	-	160,000	1,040,000	-	-	1,200,000
Environmental (ENV)	0	0	0	0	0	0	0
							0
							0
							0
							0
							0
Final Design (PS&E)	0	0	160,000	1,040,000	0	0	1,200,000
RM2			160,000	1,040,000			1,200,000
							0
							0
							0
							0
Right-of-Way	0	0	0	0	0	0	0
							0
							0
							0
							0
							0
Construction	0	0	0	0	0	0	0
							0
							0
							0
							0
							0
TOTAL FUNDING							
Environmental	0	0	0	0	0	0	0
Final Design (PS&E)	0	0	160,000	1,040,000	0	0	1,200,000
Right-of-Way	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0
PROJECT TOTAL	0	0	160,000	1,040,000	0	0	1,200,000